

IN RE: PETITION FOR VARIANCE

N/S Hampton Lane, 1,150' E of the c/l
Dulaney Valley Road
(510 Hampton Lane)
9th Election District
4th Councilmanic District

Brian F. Corrigan, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-460-A
*

* * * * *

ORDER ON THE MOTION FOR RECONSIDERATION

WHEREAS, this matter came before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Brian F. and Kathryn W. Corrigan, through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners sought relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 15 feet, and a side yard sum of 20 feet in lieu of the required 40 feet, for a proposed addition.

At the public hearing held for this case on August 3, 1999, Kathryn W. Corrigan, property owner, appeared, as did Dr. Ellen Feifarek, the adjacent property owner, Bruce E. Doak, Registered Property Line Surveyor who prepared the site plan for this property, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioners.

Testimony and evidence presented at the hearing demonstrated that the variance was justified. Moreover, it was clear that there would be no adverse impact to adjacent properties as a result of the proposed addition. However, at the hearing, Dr. Feifarek requested that certain conditions be attached to the grant of any variance relief "to preserve the integrity of the neighborhood." A written summary of the proposed conditions to be attached to the relief granted were to be timely submitted to this Zoning Commissioner subsequent to the hearing. A significant period (more than four months) lapsed from the date of the hearing without the proposed written conditions being submitted. Thus, I granted the requested relief by my Order dated December 7, 1999.

ORDER RECEIVED FOR FILING

Date

By

Subsequently, by letter dated January 5, 2000, Counsel for the Petitioners and Dr. Feifarek entered a Joint Motion for Reconsideration, seeking a modification of my Order to incorporate an agreement which had been reached between the parties as to what conditions would be attached to the variance relief granted. A copy of the agreement was submitted as Exhibit A.

In consideration of the agreement reached between the parties, I am persuaded to grant the Joint Motion.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of January, 2000 that the Order issued December 7, 1999 be and the same is hereby AMENDED to incorporate Exhibit A, a copy of which has been attached hereto and made a part hereof.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued December 7, 1999 shall remain in full force and effect.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Brian Corrigan
510 Hampton Lane, Towson, Md. 21204
Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600, Towson, Md. 21204
Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Towson, Md. 21286
Robert D. Porter, Esquire
901 Dulaney Valley Road, Suite 400, Towson, Md. 21204
Drs. Christopher & Ellen Feifarek, 508 Hampton Lane, Towson, Md. 21286
People's Counsel; Case File

ORDER RECEIVED FOR FILING
Date 1/10/00
By [Signature]

EXHIBIT A

1) The proposed addition shall be a colonial traditional design, attached to the west side of the existing dwelling. The proposed addition shall be limited in size to 26'x16'. The front of the proposed addition shall be in line with the existing front of the greenhouse. The entire first floor of the proposed addition shall be constructed of brick to match the existing dwelling, and the second floor, if any, shall be cantilevered with siding. Both the brick and the siding shall be painted to match the existing dwelling. Finishing products such as trim, soffit and fascia, shall be of similar color, material and construction as those used on the existing dwelling.

2) If Petitioners construct a two-story addition, the roof shall be constructed of slate and shall maintain a similar roof line to the existing dwelling. If the Petitioners construct a one-story addition, the roof shall be constructed of slate or slate-like materials upon prior written approval of the Feifareks.

3) Petitioners shall plant not less than six (6) evergreen trees, which shall be at least six (6) to eight (8) feet in height, if the Petitioners' construction does not require a retaining wall. If Petitioners' construction requires the construction of a retaining wall along the west side of the Petitioners' property, landscaping shall consist of not less than six (6) evergreen trees at least eight (8) to ten (10) feet in height above grade. The trees shall be planted commencing 5 feet in front of the front wall of the proposed addition and continuing along the length of the addition to a point 5 feet to the rear of the rear wall.

4) The Petitioners shall not allow their contractors, subcontractors, employees or agents to enter onto, over, through or above the Feifarek property, except as expressly allowed by paragraph 5 hereof.

ORDER RECEIVED FOR FILING

Date

by

5) If necessary, Petitioners shall remove an existing maple tree near the property line. In connection with the removal of the maple tree, the Petitioners may allow their contractors, subcontractors, employees or agents to enter onto the Feifarek property for the limited purposes of removing the tree and restoring the Feifarek property, provided that they repair any damage to the Feifarek property.

6) The Petitioners shall hold the Feifareks harmless and agree to indemnify the Feifareks for any damage, loss or injury caused by the maple tree to the Petitioners, their property, guests, invitees and licensees.

7) The Petitioners shall be responsible for grading their property so as to avoid any erosion and runoff problems, including runoff from the Feifarek property. Petitioners agree to indemnify and hold harmless the Feifareks for any damage, loss or injury resulting from, occasioned by or arising out of stormwater runoff.

8) The Petitioners agree on behalf of themselves, their personal representatives, heirs, successors and assigns that no additional principal or accessory structures shall be constructed on the Petitioners' property within 25 feet of the common property line between the Petitioners and the Feifareks. This restriction shall be included in any deed or instrument of conveyance by which the Petitioners transfer title to their property.

9) The Petitioners shall submit to the Zoning Commissioner within 30 days from the date hereof a revised plan showing the property and the proposed addition, limited in size to

26'x16'.

rdp.gen\376.99

HODES, ULMAN, PESSIN & KATZ, P.A.

Michael C. Hodes
Louis Jay Ulman
David N. Pessin
Gerald M. Katz †
Drake C. Zaharris *
Carl S. Silverman †
Steven A. Allen
Barry Bach
Randall M. Lutz
Michael E. Leaf
Michael P. Donnelly
Stanley J. Neuhauser
Patricia McHugh Lambert
Thomas J. Gisriel
Joseph P. Kempler
Kevin F. Bress
Harry M. Rifkin *
Mary-Dulany James
Kevin J. Mahoney
Steven B. Schwartzman *
Christopher W. Poverman ‡
* Also Admitted in DC
† Also Admitted in DC and VA
‡ Also Admitted in DC, DE & PA
†† Also Admitted in MA
** Also Admitted in DC, PA & VA

ATTORNEYS AT LAW
SUITE 400
901 DULANEY VALLEY ROAD
TOWSON, MARYLAND 21204-2600

410-938-8800
Facsimile 410-938-8806
E-mail: Hupk@Hupk.com

WRITER'S DIRECT DIAL NUMBER:
(410) 339-5791

WRITER'S DIRECT FACSIMILE NUMBER:
(410) 938-8378

WRITER'S DIRECT E-MAIL:
RDPORTER@HUPK.COM

David A. Cagle
Seema Reznick
Timothy J. Pursel
Lynn K. Edwards
Stuart A. Schadt
John T. Bathon *
Natalie Paige Drinkard
Lynn E. Ricciardella *
Robert D. Porter
Sheri N. Green
S. Scott Tate
Daniele M. Creager
Of Counsel
Thomas J. Zagami
Michael J. Schwarz
Everett F. Casey††
Bert N. Bisgyer *
Charles F. Morgan
Edward D. McGuire, Jr. **
Alan M. Foreman
Allen D. Greif

JAN - 5

January 5, 2000

VIA HAND DELIVERY

Mr. Lawrence E. Schmidt
Zoning Commissioner
County Courts Building
4th Floor
Towson, Maryland 21204

**Re: Mr. and Mrs. Brian F. Corrigan, Petitioners
Petition for Variance -- 510 Hampton Lane
Case No.: 99-460-A**

Dear Mr. Schmidt:

I enclose two originals of a Joint Motion for Reconsideration in the above-referenced action. Please accept one for filing and date-stamp the other for return to me with the courier.

Please let counsel for both parties know if you need additional information in support of the Motion.

Very truly yours,


Robert D. Porter

RDP/tlc
Enclosures
cc: Francis X. Borgerding, Jr., Esquire
Ellen Feifarek, M.D.

1-5-00
IN RE: PETITION FOR VARIANCE

*

BEFORE THE

N/S Hampton Lane, 1,150' E of the c/l
Dulaney Valley Road
(510 Hampton Lane)
9th Election District
4th Councilmanic District
Brian F. Corrigan, *et ux.*,
Petitioners

*

ZONING COMMISSIONER

*

OF

*

BALTIMORE COUNTY

*

Case No.: 99-460-A

*

*

*

*

*

*

*

*

*

*

*

*

*

*

JOINT MOTION FOR RECONSIDERATION

Brian F. Corrigan and Kathryn W. Corrigan, Petitioners, by and through Francis X. Borgerding, Jr., Esquire, their counsel; and Christopher Feifarek and Ellen Feifarek, by and through Michael E. Leaf, Esquire and Robert D. Porter, Esquire, their counsel, respectfully submit this Joint Motion for Reconsideration of the Zoning Commissioner's Findings of Fact and conclusions of Law dated December 7, 1999 in the above-captioned case and in support thereof state as follows:

1. On or about May 18, 1999, Petitioners filed the Petition for Variance, seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations to permit a side yard setback of ten (10) feet in lieu of the required 15 feet, and a side yard sum of 20 feet in lieu of the required 40 feet.

2. The Zoning Commissioner conducted the requisite public hearing on August 3, 1999, which the Petitioners, Bruce Doak, Registered Property Line Surveyor, Petitioners' counsel and Dr. Ellen Feifarek attended. At the public hearing, the Feifareks' were not represented by counsel. At the public hearing, the Zoning Commissioner heard proffered testimony concerning the Petition and received into evidence Petitioners' site plan. The Zoning Commissioner also heard Dr. Feifarek voice her concerns as to the Petition, the proposed

addition and the Feifareks' potential liability in connection with construction of the addition. The Zoning Commissioner held the case under consideration, pending agreement between the parties as to conditions which were acceptable to both sides and which could be incorporated in a final decision by the Zoning Commissioner.

3. Between August 4, 1999 and November 27, 1999, the parties negotiated the conditions through several discussions and correspondence, but did not reach agreement on the conditions.

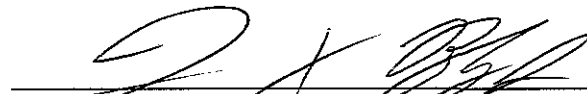
4. On December 7, 1999, the Zoning Commissioner issued Findings of Fact and Conclusions of Law (the "Order") granting the requested relief.

5. After the Order issued, the parties continued their negotiations and reached agreement on the conditions that could be incorporated in an order of the Zoning Commissioner. The parties reduced their agreement and the requested conditions to writing, a copy of which is attached hereto and incorporated herein as Exhibit A.

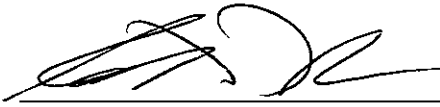
6. The parties desire to resolve this matter amicably and without the expense and delay associated with an appeal to the County Board of Appeals of Baltimore County by having the Zoning Commissioner reconsider his decision in this case and issue Findings of Fact and Conclusions of Law which would include the conditions set forth in Exhibit A and which would supersede and replace the Order. A proposed form of Findings of Fact and Conclusions of Law Upon Reconsideration has been agreed to by the parties and is attached hereto and incorporated herein as Exhibit B.

WHEREFORE, the Petitioners and the Feifareks respectfully request that the Zoning Commissioner reconsider his decision in this case.

Respectfully submitted,



Francis X. Borgerding, Jr., Esquire
Mercantile Building, Suite 600
409 Washington Avenue
Towson, Maryland 21204
(410) 296-6820



Robert D. Porter, Esquire
Hodes, Ulman, Pessin & Katz, P.A.
901 Dulaney Valley Road, Suite 400
Towson, Maryland 21204
(410) 938-8800

IN RE: PETITION FOR VARIANCE	*	BEFORE THE
N/S Hampton Lane, 1,150' E of the c/l	*	ZONING COMMISSIONER
Dulaney Valley Road		
(510 Hampton Lane)	*	OF
9 th Election District		
4 th Councilmanic District	*	BALTIMORE COUNTY
Brian F. Corrigan, <i>et ux.</i> ,		
Petitioners	*	Case No.: 99-460-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW UPON RECONSIDERATION

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Brian F. and Kathryn W. Corrigan, through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 15 feet, and a side yard sum of 20 feet in lieu of the required 40 feet, for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing held in support of the request were Kathryn W. Corrigan, property owner, Bruce E. Doak, Registered Property Line Surveyor who prepared the site plan for this property, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioners. Ellen Feifarek, adjacent property owner, appeared at the hearing as an interested person. There were no Protestants or other interested persons present.

Proffered testimony and evidence offered revealed that the subject property is a rectangular shaped parcel, containing a gross area of 0.574 acres, more or less, zoned D.R.2. The property is located on the north side of Hampton Lane in Hampton Village, not far from

Dulaney Valley Road and its interchange with the Baltimore Beltway (I-695). This is a community of substantially sized single family dwellings on relatively large lots. The subject property is improved with a two-story brick and frame dwelling, which features a one-story greenhouse addition on the west side, and an attached one-car garage on the east side. Other improvements on the site include a gazebo, playhouse, and frame shed. The Petitioners propose to remove the greenhouse structure and construct a new addition in its place. The side wall of the proposed addition will be located approximately 10 feet from the west side property line, thus necessitating the requested variance. In addition, because a 10-foot setback is provided on the east side of the property, the request for a side yard setback sum of 20 feet in lieu of the required 40 feet is necessary.

Counsel for the Petitioners proffered that the location chosen for the proposed addition is appropriate in order that the proposed improvements are architecturally compatible with the existing dwelling. Moreover, the proposed location for the addition will take advantage of the existing topography and landscape. While not shown on the site plan, the Feifareks' dwelling is located on the lot adjacent to this property. In this regard, Dr. Feifarek's participation was of note. Dr. Feifarek resides on the west side of the subject property, and the proposed addition will be visible from her lot.

At the conclusion of the hearing, it was noted by counsel for the Petitioners that Dr. Feifarek was not opposed to the requested relief, for so long as certain conditions were attached to the grant of any variance relief. Apparently, these conditions were to preserve the integrity of the neighborhood and protect the Feifareks from disturbance and liability in connection with the construction of the proposed addition. It was also indicated at the hearing

that a written summary of the proposed conditions to be attached to the variance relief would be submitted to this Zoning Commissioner subsequent to the hearing.

More than four months passed after the public hearing was held on this matter, and no conditions were submitted to the Zoning Commissioner. Thus, on December 7, 1999, the Zoning Commissioner issued Findings of Fact and Conclusions of Law (the "Order") granting the Petitioners' requested variance. The Order indicated that either side could file a Motion for Reconsideration.

Subsequent to the issuance of the Order, Michael E. Leaf, Esquire and Robert D. Porter, Esquire entered their appearances in this case as attorneys for the Feifareks. On January _____, 2000, both sides filed a Joint Motion for Reconsideration, explaining that, despite the diligent efforts of the Petitioners and the Feifareks, the parties had not reached a written agreement as to the conditions to be attached to the variance relief before the Order was issued. The Joint Motion for Reconsideration indicated that the parties had reached agreement on conditions and set forth conditions, as agreed by both sides.

Based upon the testimony and evidence offered at the public hearing and upon consideration of the Joint Motion for Reconsideration, I am persuaded to grant the Petition for Variance subject to the conditions set forth herein. I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. as construed by the case law. Specifically, I find that the property is unique and that the Petitioners would suffer a practical difficulty if relief were denied and that relief can be granted without detrimental impact on the surrounding neighborhood. Thus, the Petition for Variance shall be granted subject to the conditions set forth below.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted, subject to the conditions set forth below.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _____ day of _____, 2000, that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 15 feet, and a side yard sum of 20 feet in lieu of the required 40 feet, for a proposed addition, be and is hereby GRANTED, subject to the following restrictions:

1) The proposed addition shall be a colonial traditional design, attached to the west side of the existing dwelling. The proposed addition shall be limited in size to 26'x16'. The front of the proposed addition shall be in line with the existing front of the greenhouse. The entire first floor of the proposed addition shall be constructed of brick to match the existing dwelling, and the second floor, if any, shall be cantilevered with siding. Both the brick and the siding shall be painted to match the existing dwelling. Finishing products such as trim, soffit and fascia, shall be of similar color, material and construction as those used on the existing dwelling.

2) If Petitioners construct a two-story addition, the roof shall be constructed of slate and shall maintain a similar roof line to the existing dwelling. If the Petitioners construct a one-story addition, the roof shall be constructed of slate or slate-like materials upon prior written approval of the Feifareks.

3) Petitioners shall plant not less than six (6) evergreen trees, which shall be at least six (6) to eight (8) feet in height, if the Petitioners' construction does not require a retaining wall. If Petitioners' construction requires the construction of a retaining wall along the west side of the Petitioners' property, landscaping shall consist of not less than six (6) evergreen trees at least eight (8) to ten (10) feet in height above grade. The trees shall be planted commencing 5 feet in front of the front wall of the proposed addition and continuing along the length of the addition to a point 5 feet to the rear of the rear wall.

4) The Petitioners shall not allow their contractors, subcontractors, employees or agents to enter onto, over, through or above the Feifarek property, except as expressly allowed by paragraph 5 hereof.

5) If necessary, Petitioners shall remove an existing maple tree near the property line. In connection with the removal of the maple tree, the Petitioners may allow their contractors, subcontractors, employees or agents to enter onto the Feifarek property for the limited purposes of removing the tree and restoring the Feifarek property, provided that they repair any damage to the Feifarek property.

6) The Petitioners shall hold the Feifareks harmless and agree to indemnify the Feifareks for any damage, loss or injury caused by the maple tree to the Petitioners, their property, guests, invitees and licensees.

7) The Petitioners shall be responsible for grading their property so as to avoid any erosion and runoff problems, including runoff from the Feifarek property. Petitioners agree to indemnify and hold harmless the Feifareks for any damage, loss or injury resulting from, occasioned by or arising out of stormwater runoff.

8) The Petitioners agree on behalf of themselves, their personal representatives, heirs, successors and assigns that no additional principal or accessory structures shall be constructed on the Petitioners' property within 25 feet of the common property line between the Petitioners and the Feifareks. This restriction shall be included in any deed or instrument of conveyance by which the Petitioners transfer title to their property.

9) The Petitioners shall submit to the Zoning Commissioner within 30 days from the date hereof a revised plan showing the property and the proposed addition, limited in size to 26'x16'.

Lawrence E. Schmidt
Zoning Commissioner for Baltimore County

12-7-79
IN RE: PETITION FOR VARIANCE

N/S Hampton Lane, 1,150' E of the c/l
Dulaney Valley Road
(510 Hampton Lane)
9th Election District
4th Councilmanic District

Brian F. Corrigan, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-460-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Brian F. and Kathryn W. Corrigan, through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 15 feet, and a side yard sum of 20 feet in lieu of the required 40 feet, for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held in support of the request were Kathryn W. Corrigan, property owner, Ellen Feifarek, adjacent property owner, Bruce E. Doak, Registered Property Line Surveyor who prepared the site plan for this property, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel, containing a gross area of 0.574 acres, more or less, zoned D.R.2. The property is located on the north side of Hampton Lane in Hampton Village, not far from Dulaney Valley Road and its interchange with the Baltimore Beltway (I-695). This is a community of substantially sized single family dwellings on relatively large lots. The subject property is improved with a two-story

ORDER RECEIVED FOR FILING

Date

By

brick and frame dwelling, which features a one-story greenhouse addition on one side, and an attached two-car garage on the other side. Other improvements on the site include a gazebo, playhouse, and frame shed. The Petitioners propose to remove the greenhouse structure and construct a new addition in its place, as shown on the site plan. The side wall of the proposed addition will be located approximately 10 feet from the east side property line, thus, necessitating the requested variance. In addition, because a 10-foot setback is provided on the west side of the property, the request for a side yard setback sum of 20 feet in lieu of the required 40 feet is necessary.

Counsel for the Petitioners testified that the location chosen for the proposed addition is appropriate in order that the proposed improvements are architecturally compatible with the existing dwelling. Moreover, the proposed location for the addition will take advantage of the existing topography and landscape. As shown on the site plan, there is no dwelling adjacent to this side property line that would be impacted.

In this regard, the adjacent property owner's participation was of note. Ms. Feifarek resides on the opposite side of the property. The proposed addition will not be visible from her lot.

At the conclusion of the hearing, it was noted by Counsel for the Petitioners that Ms. Feifarek was not opposed to the requested relief, for so long as certain conditions were attached to the grant of any variance relief. Apparently, these conditions were to preserve the integrity of the neighborhood. It was also indicated at the hearing that a written summary of the proposed conditions to be attached to the variance relief would be submitted to this Zoning Commissioner subsequent to the hearing.

More than four months have passed since the public hearing was held on this matter. After several telephone calls to Petitioners' Counsel, I have yet to receive a proposal of any conditions. As has been frequently stated, "justice delayed is justice denied" and I am not inclined to keep this case open any longer. Thus, a decision will be rendered based upon the testimony and evidence offered at the public hearing. If the Petitioners and their neighbor wish to enter a private

CASE FILED FOR FILING
Date 12/2/99
[Signature]

agreement, they made do so. Moreover, either side may appeal my decision or request, through a Motion for Reconsideration, a modification of my Order.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Variance. I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. as construed by the case law. Specifically, I find that the property is unique, in terms of topography and existing landscaping, and that these features drive the need for the variance requests. I also find that the Petitioners would suffer a practical difficulty if relief were denied and that relief can be granted without detrimental impact on the surrounding neighborhood. Thus, the Petition for Variance shall be granted.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of December, 1999 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 15 feet, and a side yard sum of 20 feet in lieu of the required 40 feet, for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 12/7/99
BY [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

December 7, 1999

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
N/S Hampton Lane, 1,150' E of the c/l Dulaney Valley Road
(510 Hampton Lane)
9th Election District – 4th Councilmanic District
Brian F. Corrigan, et ux - Petitioners
Case No. 99-460-A

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Brian Corrigan
957 Fairmount Avenue, Towson, Md. 21204
Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Towson, Md. 21286
Ms. Ellen Feifarek, 508 Hampton Lane, Towson, Md. 21286
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

#460

to the Zoning Commissioner of Baltimore County

for the property located at 510 Hampton Lane, Towson, MD 21286

which is presently zoned D.R. 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 to permit an individual side yard set back of 10 ft. in lieu of the required 15 ft. and to permit a side yard setback sum of 20 ft. in lieu of the required 40 ft.

FXB, Jr.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. Shape and configuration of the property;
2. Uniqueness of property; and
3. Such other and further reasons to be presented at the time of the hearing of this matter.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Francis X. Borgerding, Jr.

Name - Type or Print

Signature

Company

409 Washington Ave., #600

410-296-6820

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

Brian F. Corrigan

Name - Type or Print

Signature

Kathryn W. Corrigan

Name - Type or Print

Signature

957 Fairmont Avenue

410-828-4338

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Representative to be Contacted:

Francis X. Borgerding, Jr.

Name

409 Washington Ave., #600

410-296-6820

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr

UNAVAILABLE FOR HEARING

Reviewed By

JK

Date

5/18/99

99-460-A

CLERK RECEIVED FOR THE
DATE 5/18/99
BY

GORDON T. LANGDON
DENNIS M. MILLER
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

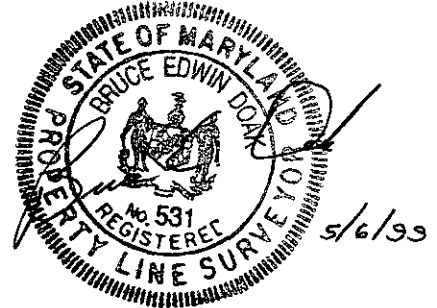
EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

May 5, 1999

Zoning Description
0.574 Acre, More or Less, Parcel of Land

Beginning for the same at a point North 28 degrees 40 minutes 18 seconds West 25 feet, more or less, from a point North 61 degrees 19 minutes 42 seconds East 1150 feet, more or less, from the intersection of the centerline of Dulaney Valley Road with the centerline of Hampton Lane along the centerline of Hampton Lane, running thence 1) North 28 degrees 40 minutes 18 seconds West 250 feet, 2) North 61 degrees 19 minutes 42 seconds East 100 feet, 3) South 28 degrees 40 minutes 18 seconds East 250 feet, and 4) South 61 degrees 19 minutes 42 seconds West 100 feet to the place of beginning.

Containing 0.574 Acres of land, more or less.



This description only satisfies the requirements of the office of zoning and is not intended to be used for conveyance purposes.

460

99-460-A

BALTIMORE COUNTY, MAR' AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 067396

DATE 5/18/99

ACCOUNT 01-615

Item. 460
By: MTL

AMOUNT \$ 50.00

RECEIVED

FROM: Brian Corrigan

510 Hampton Lane

FOR:

010-Res Income

\$ 50.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

99.460-A

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS ACTION

TIME

5/18/1999 5/18/1999 11:58:44

REG #302 CASHIER LSN LXS DRIVER 2

Dept 5 528 ZONING VERIFICATION

Receipt # 093920

CR NL 067396

Receipt Tot

50.00

50.00 CR

.00

Baltimore County, Maryland

**NOTICE OF ZONING
HEARINGS**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-460-A
510 Hampton Lane
N/S Hampton Lane, 1150' E of
centerline Dulaney Valley Road
9th Election District
4th Councilmanic District

Legal Owner(s):

Kathryn W. &
Brian F. Corrigan

Variance: to permit a side yard setback of 10 feet in lieu of the required 15 feet and to permit a side yard setback sum of 20 feet in lieu of the required 40 feet.

Hearing: Tuesday, July 13, 1999 at 10:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
6/3/99 June 24. 6321388

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/24, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/24, 1999.

THE JEFFERSONIAN.

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-460-A
PETITIONER/DEVELOPER:
(Kathryn W. Corrigan)
DATE OF Hearing
(Aug. 3, 1999)

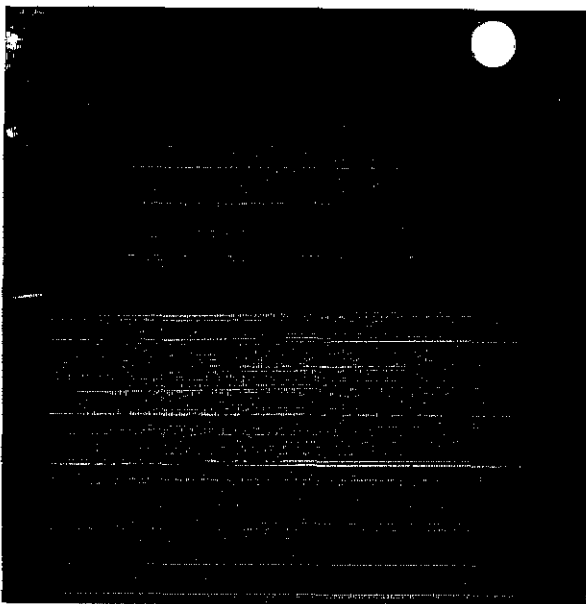
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
510 Hampton Lane Baltimore , Maryland 21286_____

The sign(s) were posted on _____ 7-17-99 _____
[Month, Day, Year]



Sincerely,

Thomas P. Ogle 7/17/99
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)

ZONING NOTICE

Case # 00-460-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE *5834-A Stevens Road, Baltimore, MD*
TIME & DATE *11 AM MONDAY JUNE 14, 2000*

*VARIANCE TO PERMIT A LOT SIZE OF 10,000 SQ. FT. FOR
A LOT OF 10,000 SQ. FT. LOT LINE SETBACKS OF 10 FT.
IN REAR OF LOT AND 10 FT. FROM ALL OTHER LOT
LINES OR ANY LINE DETERMINED BY THE ZONING
COMMISSIONER.*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETHING
NECESSARY TO CONFIRM HEARING. IF POSSIBLE, HEARING DATE
CALL NOT LATE THE DAY BEFORE. IF CANCELLED, HEARING DATE
TO BE DETERMINED BY THE ZONING COMMISSIONER. HEARINGS ARE HANDICAPPED ACCESSIBLE.

RE: CASE #00-460-A
PETITIONER/DEVELOPER
(Emory Jarnagin)
DATE OF Hearing
(6-14-00)

Posted at 5834-A Stevens Road

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

5834-A Stevens Road Baltimore, Maryland 21162____

THE SIGN(S) WERE POSTED ON____ 5-30-00____
(MONTH, DAY, YEAR)

SINCERELY,

Thomas P. Ogle Sr. 5/30/00
(SIGNATURE OF SIGN POSTER & DATE)

____THOMAS P. OGLE SR.____

____325 NICHOLSON ROAD____

____BALTIMORE, MARYLAND 21221____

____410-687-8405____
(TELEPHONE NUMBER)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-460-A

Petitioner: Brian E Kathryn Corrigan

Address or Location: 510 Hampton Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Brian E Kathryn Corrigan

Address: 957 Fairmont Avenue
Towson, MD 21204

Telephone Number: (410) 828-4338



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 11, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-460-A

510 Hampton Lane

N/S Hampton Lane, 1150' E of centerline Dulaney Valley Road

9th Election District – 4th Councilmanic District

Legal Owner: Kathryn W. & Brian F. Corrigan

Variance to permit a side yard setback of 10 feet in lieu of the required 15 feet and to permit a side yard setback sum of 20 feet in lieu of the required 40 feet.

HEARING: Tuesday, July 13, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Francis X. Borgerding, Jr., Esquire
Kathryn & Brian Corrigan

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 28, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
June 24, 1999 Issue – Jeffersonian

Please forward billing to:

Brian & Kathryn Corrigan
957 Fairmount Avenue
Towson, MD 21204

410-828-4338

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-460-A

510 Hampton Lane

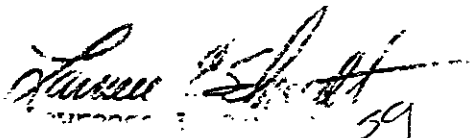
N/S Hampton Lane, 1150' E of centerline Dulaney Valley Road

9th Election District – 4th Councilmanic District

Legal Owner: Kathryn W. & Brian F. Corrigan

Variance to permit a side yard setback of 10 feet in lieu of the required 15 feet and to permit a side yard setback sum of 20 feet in lieu of the required 40 feet.

HEARING: Tuesday, July 13, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 1, 1999

Francis X. Borgerding, Jr., Esq.
409 Washington Avenue, Suite 600
Towson, MD 21204

Dear Mr. Borgerding:

RE: Case No.: 99-460-A, Petitioner: Brian F. Corrigan,
Location: 510 Hampton Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 18, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



6/16/99
WJL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: June 15, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

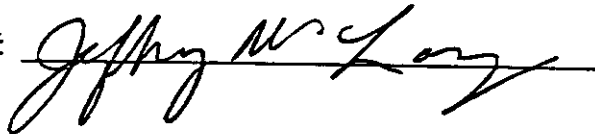
RECEIVED JUN 18 1999

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 459, 460, 469 and 475

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



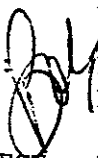
AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 16, 1999

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for June 14, 1999
Item Nos. 456, 459, 460, 461, 462,
464, 466, 467, 468, 469, 471, 472,
474, 475, 476, 477, 482, 483, 484,
& 485

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZAC06149.NOC

RECEIVED JUN 21 1999



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

June 16, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 7, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467,
468, 469, 470, 471, 472, 474, 475, 476, 477, 478, 479,
480, 483, 484, AND 485

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

RECEIVED JUN 21 1999





**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 6.4.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 460

MSK

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P. J. Gredlein
for Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
510 Hampton Lane, N/S Hampton Lane,
1150' E of c/I Dulaney Valley Rd
9th Election District, 4th Councilmanic

Legal Owner: Brian F. and Kathryn W. Corrigan
Petitioner(s)

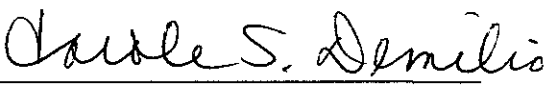
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-460-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 1999 a copy of the foregoing Entry of Appearance was mailed to Francis X. Borgerding, Esq., 409 Washington Avenue, Suite 600, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN

IN RE: PETITION FOR VARIANCE

*

BEFORE THE

N/S Hampton Lane, 1,150' E of the c/l
Dulaney Valley Road
(510 Hampton Lane)
9th Election District
4th Councilmanic District
Brian F. Corrigan, *et ux.*,
Petitioners

*

ZONING COMMISSIONER

*

OF

*

BALTIMORE COUNTY

*

Case No.: 99-460-A

*

*

*

*

*

*

*

*

*

*

*

*

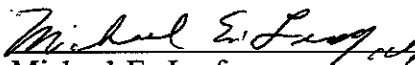
*


*

ENTRY OF APPEARANCE

Please enter the appearance of Michael E. Leaf, Esquire and Robert D. Porter, Esquire and Hodes, Ulman, Pessin & Katz, P.A., 901 Dulaney Valley Road, Suite 400, Towson, Maryland 21204, (410) 938-8800, (410) 938-8378 (facsimile), attorneys for Dr. Christopher Feifarek and Dr. Ellen Feifarek, interested persons in the above-captioned case.


Respectfully submitted,


Michael E. Leaf


Robert D. Porter
Hodes, Ulman, Pessin & Katz, P.A.
901 Dulaney Valley Road
Suite 400
Towson, Maryland 21204
(410) 938-8800

Certificate of Service

I HEREBY CERTIFY that on this 3rd day of January, 2000, the foregoing Entry of Appearance was sent by facsimile and by first class mail, postage prepaid, to Francis X. Borgerding, Jr., Esquire, counsel for the Petitioners Mercantile Building, Suite 600, 409 Washington Avenue, Towson, Maryland 21204.


Robert D. Porter



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

July 9, 1999

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue
Suite 600
Towson, MD 21204

Dear Mr. Borgerding:

RE: Case Number 99-460-A, 510 Hampton Lane

The above matter, previously scheduled for July 13, 1999, has been postponed due to the property not being posted. As per your conversation today with Sophia Jennings, the hearing has been **rescheduled for Tuesday, August 3, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

Please be advised that, as the individual receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. The property must be posted with the information on the zoning hearing notice by July 19, 1999.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:scj

C: Kathryn & Brian Corrigan



File

FRANCIS X. BORGERDING, JR.

Attorney at Law

MERCANTILE BUILDING - SUITE 600
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 296-6820
FAX (410) 296-6884

JAN 27

*Member of Maryland and
District of Columbia Bar*

January 21, 2000

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore
County
County Courts Building, 4th Floor
401 Bosley Avenue
Towson, Maryland 21204

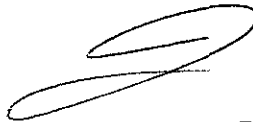
RE: Case No.: 99-460-A

Dear Mr. Schmidt:

Pursuant to Paragraph Number 9 of Exhibit A of the Order entered in the above-referenced case on January 10, 2000, enclosed please find an amended plan with regard to the above-referenced case showing the size of the proposed addition limited in size to 26' X 16'.

Thank you very much for your consideration with regard to this matter. If you have any questions in relation to the enclosed, please do not hesitate to contact me.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk

Enclosure

cc: Mr. and Mrs. Brian Corrigan

HODES, ULMAN, PESSIN & KATZ, P.A.

Michael C. Hodes
Louis Jay Ulman
David N. Pessin
Gerald M. Katz †
Drake C. Zaharris *
Carl S. Silverman †
Steven A. Allen
Barry Bach
Randall M. Lutz
Michael E. Leaf
Michael P. Donnelly
Stanley J. Neuhauser
Patricia McHugh Lambert
Thomas J. Gisriel
Joseph P. Kempler
Kevin F. Bress
Harry M. Rifkin *
Mary-Dulany James
Kevin J. Mahoney
Steven B. Schwartzman *
Christopher W. Poverman ‡
* Also Admitted in DC
† Also Admitted in DC and VA
‡ Also Admitted in DC, DE & PA
†† Also Admitted in MA
** Also Admitted in DC, PA & VA

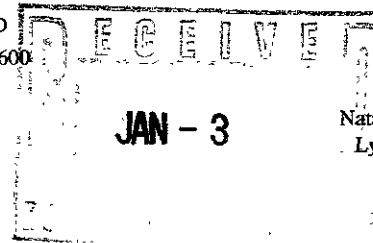
ATTORNEYS AT LAW
SUITE 400
901 DULANEY VALLEY ROAD
TOWSON, MARYLAND 21204-2600

410-938-8800
Facsimile 410-938-8806
E-mail: Hupk@Hupk.com

WRITER'S DIRECT DIAL NUMBER:
(410) 339-5791

WRITER'S DIRECT FACSIMILE NUMBER:
(410) 938-8378

WRITER'S DIRECT E-MAIL:
RDPORTER@HUPK.COM



David A. Cagle
Seema Reznick
Timothy J. Pursel
Lynn K. Edwards
Stuart A. Schadt
Barry C. Goldstein
John T. Bathon *
Natalie Paige Drinkard
Lynn E. Ricciardella *
Robert D. Porter
Sheri N. Green
S. Scott Tate
Damele M. Creager
Of Counsel
Thomas J. Zagami
Michael J. Schwarz
Everett F. Casey††
Bert N. Bisgyer *
Charles F. Morgan
Edward D. McGuire, Jr. **
Alan M. Foreman
Allen D. Greif

January 3, 2000

VIA HAND DELIVERY

Mr. Lawrence E. Schmidt,
Zoning Commissioner
County Courts Building
400 Bosley Avenue
Towson, Maryland 21204

**Re: Case No.: 99-460-A
Petition for Variance -- 510 Hampton Lane
Mr. and Mrs. Brian F. Corrigan, Petitioners**

Dear Mr. Schmidt:

Please accept for filing the enclosed Entry of Appearance on behalf of Drs. Christopher and Ellen Feifarek.

It appears as if the Petitioners and the Feifareks have reached agreement in principle on terms of a Joint Motion for Reconsideration, which the parties hope could be incorporated into Findings of Fact and Conclusions of Law Upon Reconsideration. I expect to file a Joint Motion for Reconsideration and proposed Findings of Fact and Conclusions of Law Upon Reconsideration before the January 6, 2000 appeal deadline.

Thank you for your attention to this matter, and best wishes for the new year.

Very truly yours,

Robert D. Porter

JAN - 1

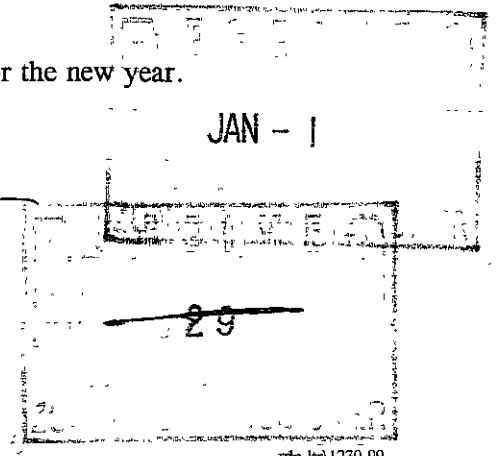
RDP/tlc

Enclosure

cc: {With enclosure}

Ellen Feifarek, M.D.

Francis X. Borgerding, Jr., Esquire



rdp.ltr\1230.99

7.9 Carol 1047

Ellen & Srefarek

(cellular) 410-241-8130

home
(message) 410-583-7633

510-99-4601A
508 Hampton La.

Dr. Ellen Feifarek
410-337-8899

will get letter +
show up at hearing

Given New Hearing Date
by WCR on 7/9/99

99-460-A

To: Sophie
From: mjk

sign not posted
I spoke to attorney
& advised him. He
will call you as
a follow-up for
solution

7/8/99

99-460-A

Case No. 99-460-A NOTE: I'm going to grant the variance relief requested in this case; however, there was a neighbor who was present at the hearing. Testimony indicated that there was an agreement between this neighbor and Frank Borgerding, attorney for the Petitioner, that they would submit some language with restrictions to be incorporated into the Order. Apparently, the neighbor wanted this language run by her attorney. She is also going on vacation and Frank indicated that the language would probably not be submitted until the end of the month.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

BRUCE DOAK GERHOLD, CROSS & ETZEL, LTD. 320 E TOWSONTOWN BLVD TOWSON MD 21286

Kathryn W. Congan

510 Hampton Ln. Towson MD 21286

Edler Faruk

508 Hampton Ln. Towson MD

Fei FARUK

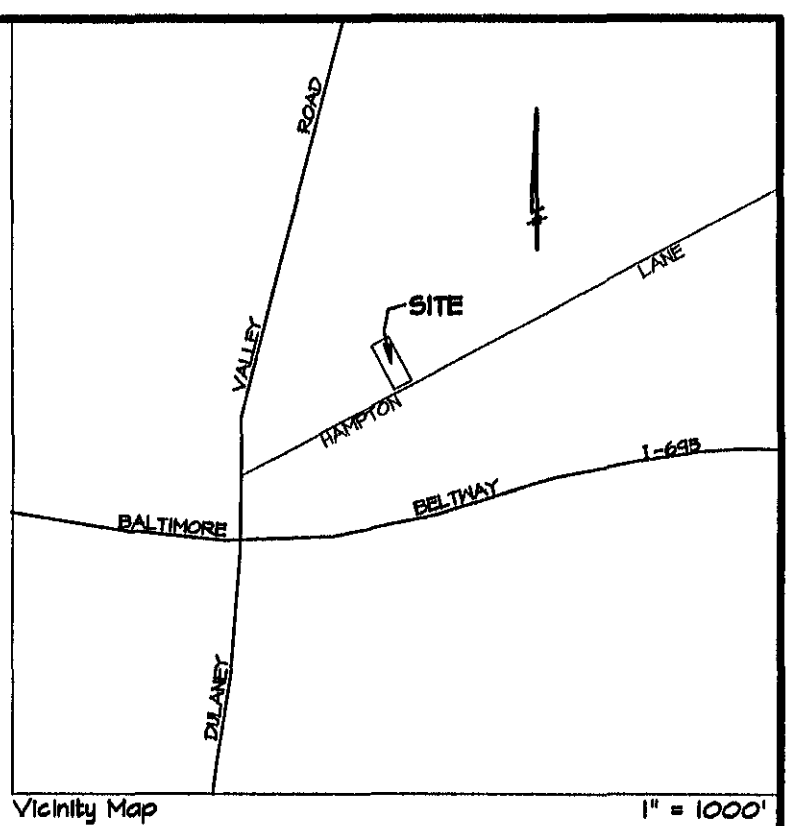
21286

Francis X. Borgeding Jr.



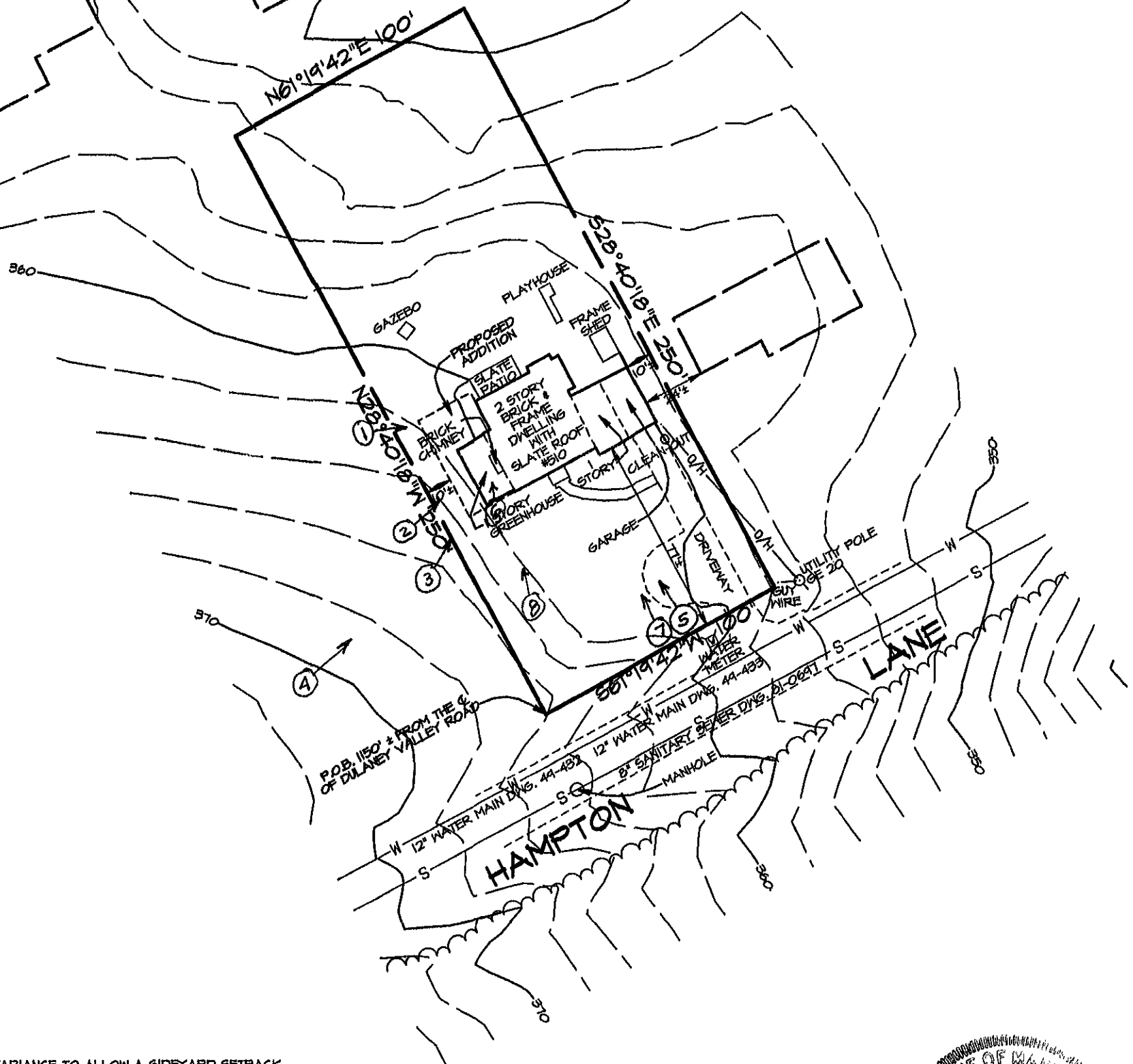
GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS, & ETZEL, LTD.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 200 SCALE
3. THIS MAP NO. 6123 & 6123.
4. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 24.
5. CENSUS TRACT 4901 A.D.C. MAP & GRID 27 E-3
6. WATERSHED 10 SUBSEWERSHED 30
7. SCHOOL DISTRICT 106 REGIONAL PLANNING DISTRICT 315A
8. HAMPTON LANE IS ALSO KNOWN AS HAMPTON ESTATE LANE.
9. GREENHOUSE TO BE RAZED.



Vicinity Map

1" = 1000'



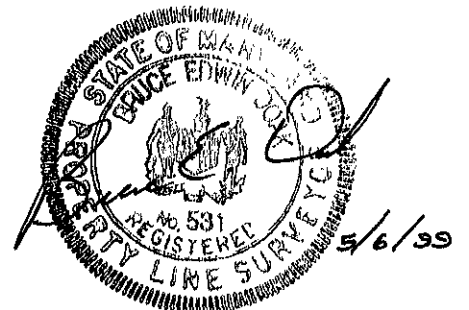
PETITION FOR A VARIANCE TO ALLOW A SIDYARD SETBACK OF TEN FEET INSTEAD OF THE REQUIRED FIFTEEN FEET.

PLAT TO ACCOMPANY
PHOTOGRAPHS

PLAT TO ACCOMPANY A
PETITION FOR A VARIANCE
CORRIGAN PROPERTY

510 HAMPTON LANE
Deed Ref: S.M. No. 13673 folio 541
Plat Ref: J.W.B. No. 14 folio 7
HAMPTON VILLAGE LOT 63
Tax Account No.: 09-12-201350
Zoned D.R. 2 Map No. N.E. 11-A
Tax Map 61, Grid 21, Parcel 323, Lot 63
9th ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

OWNER
KATHRYN WURZBACHER CORRIGAN
481 FAIRMOUNT AVENUE
TOWSON, MARYLAND 21204
(410) 828-4889



Scale: 1" = 50'

MAY 04, 1999

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

TECHNICIAN: M.E.A.

FILE: X:\Corrigan\ZONEPLAT.pro

photographs

Case 99-460-A







